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UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

LIBERTY MEDIA HOLDINGS, LLC Plaintiff, vs. HAWAII MEMBERS OF SWARM OF NOVEMBER 15, 2010 TO JANUARY 27, 2011, SHARING HASH FILE AE340D0560129AFEE8D78CE07F23 94C7B5BC9C05; MICHAELA HATANAKA, NANCY KAPIKO, BRAD HATCHER, DAVE KANDA, JEANNETTE TREVIAS, PAUL MARMULSTEIN, BRUCE GREEK, CALVIN NISHIO, AND DOES 13 THROUGH 20, Defendants.	Case No. 1:11-cv-00262 DAE-RLP (Copyright) **PLAINTIFF'S MOTION TO RECONSIDER OR CLARIFY ORDER REGARDING ADDITIONAL TIME FOR SERVICE UNDER RULE 4(m), FRCP; MEMORANDUM IN SUPPORT OF MOTION; DECLARATION OF COUNSEL; CERTIFICATE OF SERVICE**

PLAINTIFF'S MOTION TO RECONSIDEROR CLARIFY ORDER REGARDING
ADDITIONAL TIME FOR SERVICE UNDER RULE 4(m), FRCP

Plaintiff LIBERTY MEDIA HOLDINGS, LLC ("Plaintiff" or "Liberty"), by and through its attorneys undersigned, respectfully move this Court to reconsider or clarify its Order Granting in Part and Denying in Part Plaintiff Liberty Media Holdings, LLCs' Ex-Parte Motion for Order Authorizing Additional Early Discovery and Additional Time for Service Under Rules 26(D) and 4(M) (Docket No. 37) dated September 30, 2011 (the "Order").

More specifically, Plaintiff requests that this Court reconsider the Order to authorize Plaintiff additional time to serve four identified Defendants whom Plaintiff has been unable to serve within the time previously granted by the Court in the Order, in particular because the applicable rule has been interpreted to allow Plaintiff a further 120 days to first an amended complaint that identifies a new party.

Alternatively, Plaintiff requests that this Court clarify that the Order does not preclude Plaintiff from re-filing its lawsuit against the four identified Defendants whom Plaintiff has been unable to serve within the time previously granted by the Court in the order.

Plaintiff makes this Motion pursuant to Rules 4(m) and 7, Fed. R. Civ. P, and Local Rules 7.2 and 60.1. This Motion is supported by Plaintiff's

Memorandum of Law in Support of the Motion and Declaration of Counsel attached, and such evidence and argument as may be presented at a hearing on this motion. Plaintiff is serving the motion upon the four Defendants whom Plaintiff was unable to serve within the time previously granted by the Court in its Order. No identified Defendants have yet responded to the First Amended Complaint or entered their appearance

DATED: Honolulu, Hawaii, October 18, 2011.

SETH M REISS, AAL, ALLLC
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/s/ Seth M. Reiss

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MARC J. RANDAZZA

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